

EXHIBIT K8

Letter from Dept. of Justice (without attachments)



U.S. Department of Justice

Environment and Natural Resources Division

Environmental Enforcement Section
P.O. Box 7611
Ben Franklin Station
Washington, DC 20044-7611

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By Federal Express

FOR SETTLEMENT PURPOSES – COVERED BY F.R.E. 408

October 30, 2008

Gerard G. Pecht, Esq.
Fulbright & Jaworski L.L.P.
1301 McKinney, Suite 5100
Houston, Texas 77010-3095

Re: United States v. Nustar Terminal Services, Inc. (f/k/a Support Terminal Services, Inc.), et al.

In regard to the United States' claim against Nustar Terminals Services, Inc. (f/k/a Support Terminal Services, Inc.) ("STS"), under Mass. Gen. L., ch. 21E, regarding U.S. response actions relating to Fuel Spill-12 from the Standard Transmission pipeline at the Massachusetts Military Reservation, enclosed is a copy of an itemized cost summary and accompanying cost documents. The itemized cost summary contains several components, including itemized cost summaries for past costs incurred by the Air Force Center for Environmental Excellence ("AFCEE costs") and other past costs incurred by the United States ("Non-AFCEE costs"). An estimate of future costs relating to Fuel Spill-12, with the supporting basis, is also included. The cost documents, which include contracts, delivery orders, statements of work, vouchers/invoices, payment information, audits, and periodic reports, are contained in the enclosed DVD.

In the letter of September 6, 2001, from Charles Sullivan, Jr., Esq., Fulbright & Jaworski, on behalf of STS to the United States, it is stated, at p. 5, that "STS respectfully declines to reimburse the Claimants for any response costs that have been or will be incurred in remediating Fuel Spills 12 and 13 at the MMR."

If, nevertheless, STS is interested in settling this matter, the United States requests that STS make a serious settlement offer, involving the payment by STS of a substantial percentage of the U.S. response costs, on or before December 31, 2008.

The United States also hereby reiterates its requests for the documents referred to in items number 3 through 10 in the attached letter dated June 21, 2002, previously sent to you. The United States also requests a copy of the full GEC and KPOP Bates numbered document sets from the State court litigation. As stated previously, the United States would be willing to pay for the copying cost. Please provide these documents by December 31, 2008.

Sincerely,

Elizabeth Yu
Attorney, Environmental Enforcement Section

cc: Major Philip B. Bandy



U.S. Department of Justice

Environment and Natural Resources Division

Environmental Enforcement Section
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Washington, DC 20044-7611

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**PRIVILEGED - FOR SETTLEMENT
PURPOSES ONLY**

June 21, 2002

Gerard G. Pecht, Esq.
Fulbright & Jaworski L.L.P.
1301 McKinney, Suite 5100
Houston, Texas 77010-3095

Dear Mr. Pecht:

Re: United States v. Support Terminal Services, Inc., et al. (D. Mass.)

Following up our meeting in May, this letter is to request certain documents, as specified below.

1. Insurance policies and related insurance documents of W.R. Grace, Grace Energy Corporation, and/or its subsidiaries (referred to by Martin Pentz).
2. Support Terminal Services insurance policies pertaining to special coverages and related documents (referred to by Martin Pentz).
3. Information on Samson Hydrocarbons' participation in partnerships, as indicated in documents filed with the SEC (referred to by you).
4. The "Stipulations" document, filed on April 16, 1999, in the State court case (Grace Energy Corp. v. Kaneb Pipe Line, et al.), referred to in the May 22, 1999, letter of Judge Haynes (item # 45 in your Appendix to Chronology, attached to your March 25, 2002 letter), on the third page (Bates # 003955).
5. Any other documents containing fact stipulations filed in the State court case.
6. The "Defendants' letter to the Court," dated 4/20/2000, and the "Plaintiff's letter to the Court," dated 4/20/2000, that are referred to in the Order Clarifying Partial Summary Judgment in the State court case (item #47 in the Appendix to Chronology), on page 2 (Bates # 008158).
7. Any other summary judgment opinions rendered in the State court case besides the Partial Summary Judgment dated July 2, 1999 (item #46 in the Appendix to Chronology).
8. A copy of the entire Post Trial Hearing, dated June 9, 2000, in the State court case (excerpt attached as item #51 in the Appendix to Chronology).

9. If you or Support Terminal Services has a copy executed on behalf of the Air Force, a copy of the Agreement dated 4/8/63 between the Air Force and Standard Transmission Corp. (copy executed on behalf of Standard Transmission is in the DFSC documents transmitted to you previously, document stamped DFSC 0023 to DFSC 0026).
10. A copy of the documents referred to in the deposition of Fred Johnson (two volumes), in the State court case, that were not given exhibit numbers, but instead referred to by their Bates numbers. A list of the Bates numbers for these documents is attached hereto.^{1/}

Please provide a copy of these documents in the next few weeks.

Sincerely,

Elizabeth Yu

Elizabeth Yu

Attorney, Environmental Enforcement Section

cc: Carrie Greco, Esq.
Timothy Evans, Esq.
Henry Byers, Esq.
John McCarthy, Esq.
Thomas Boer, Esq.

^{1/} We would actually prefer to get a copy of the full GEC and KPOP Bates numbered document sets. We would be willing to pay for the xeroxing cost.

Bate-stamped documents referred to in Fred Johnson deposition (Texas case)

GEC# documents

236-238
247-249
254-255
286
490
504
555
669-671
1025
1084-1086
1327
1559
2529
2756-2765
2791
2848
3050
3053
3058
3094-3105
3234-3242
3312
3319
3334
3424
3453
3575
3769-3770
3776-3778
3787
4571
4612
4624-4625
4631
4638
4642
4666
4672
4681
4683
4701

GEC# documents, continued

4708

4710-4711

4715-4727

4967

5024-5033

5280

5332

KPOP# documents

739
926
1149
1175-1177
1196
1422-1423
1438-1439
1449-1454
1462-1464
1466-1467
1478-1498
1505-1506
1510-1517
1587
1598-1601
1610
1612-1622
1682
1685-1686
1688
1701
1726
1729
1869
2123
2161-2164
2173-2189
2195
2197-2205
2207-2209
2212
2214
2216-2219
2229-2230
2917-2924

Miscellaneous

GRA 1701
DEC 2308